

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Sheri Lou Cumberledge
Debtor(s)

Bankruptcy Case No.: 17-24288-JAD
Issued Per Nov. 8, 2018 Proceeding
Chapter: 13
Docket No.: 71 - 6, 38
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 27, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,120 as of November 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 3 .
- ☒ H. Additional Terms: The claim of MidFirst Bank/AmeriHome Mortgage Co. at Claim No. 16 shall be paid per loan modification approved September 26, 2018. The following notice of post-petition mortgage fees, expenses and charges of MidFirst Bank/AmeriHome Mortgage Co. at Claim No. 16 in amount of \$1,050, will be paid under Plan after objection deadline has passed if no objection filed and sustained. To extent objection is filed and sustained amount will be added to the unsecured pot. The secured claim of JPMorgan Chase Bank at Claim No. 17 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 13, 2018

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Sheri Lou Cumberledge
 Debtor

Case No. 17-24288-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 40

Date Rcvd: Nov 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 15, 2018.

db
 14786698 +Sheri Lou Cumberledge, 17 Orchard Street, P.O. Box 177, Muse, PA 15350-0177
 +AMERIHOM MORTGAGE COMPANY, LLC, CENLAR FSB, BK Department, 425 PHILLIPS BLVD.,
 EWING NJ 08618-1430
 14717390 +Aes/m&taselt, Pob 61047, Harrisburg, PA 17106-1047
 14717391 +Aes/northwest Savings, Po Box 61047, Harrisburg, PA 17106-1047
 14717392 +Aes/pheaafrn, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
 14717393 +Amerihome Mortgage Co., LC, c/o Elizabeth M Bennett, Esq., 1617 JFK Blvd, Suite 1400,
 Philadelphia, PA 19103-1814
 14717394 +Amerihome Mtg Co, Llc, 21300 Victory Blvd Ste 2, Woodland Hills, CA 91367-2525
 14717396 +Chusasears, Citicorp Credit Svcs/Centralized Bankrup, Po Box 790040,
 Saint Louis, MO 63179-0040
 14717398 +Citibank/The Home Depot, Citicorp Cr Svcs/Centralized Bankruptcy, Po Box 790040,
 S Louis, MO 63179-0040
 14717399 +Collection Service / Wash OBGYN, 250 Mt Lebanon Blvd, Pittsburgh, PA 15234-1252
 14717400 +Collection Service Center, 839 5th Ave., P.O. Box 560, New Kensington, PA 15068-0560
 14717401 +Credit Coll USA / Dr. Brent Angott, Ccusa, 16 Distributor Dr Ste 1,
 Morgantown, WV 26501-7209
 14717402 +Credit Management / Tri-State Surgery, Attn: Bankruptcy, 2121 Noblestown Rd,
 Pittsburgh, PA 15205-3956
 14756838 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14717403 +Dept Of Ed/582/nelnet, Attn: Claims/Bankruptcy, Po Box 82505, Lincoln, NE 68501-2505
 14900304 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408
 14717404 +Greater Washington Radiologists, P.O. Box 951847, Cleveland, OH 44193-0020
 14787272 JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 901032,
 Ft. Worth TX 76101-2032
 14717408 +Lendmark Financial, 198 West Chestnut Street, Washington, PA 15301-4423
 14717409 +Leroys Jewelers, Sterling Jewelers, Inc/Attn: Bankruptcy, Po Box 1799,
 Akron, OH 44309-1799
 14940547 +MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110,
 Oklahoma City, OK 73118-6051
 14724691 +Nelnet on behalf of PHEAA, PA Higher Education Assistance Agency, PO Box 8147,
 Harrisburg, PA. 17105-8147
 14725934 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14717411 +State Collection Service / Allegheny Hea, 2509 S. Stoughton Road, Madison, WI 53716-3314
 14717412 +Target, C/O Financial & Retail Svcs, Mailstopn BT POB 9475, Minneapolis, MN 55440-9475
 14717413 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 14717415 +Washington Health System, 155 Wilson Ave., Washington, PA 15301-3398

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14717395 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 14 2018 03:23:57 Capital One,
 Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253
 14717397 +E-mail/Text: bk.notifications@jpmchase.com Nov 14 2018 03:25:46 Chase Auto Finance,
 National Bankruptcy Dept, 201 N Central Ave Ms Az1-1191, Phoenix, AZ 85004-1071
 14717405 E-mail/Text: cio.bncmail@irs.gov Nov 14 2018 03:25:34 Internal Revenue Service,
 1000 Liberty Avenue, Pittsburgh, PA 15222
 14717406 +E-mail/PDF: gecsed@recoverycorp.com Nov 14 2018 03:23:53 JC Penneys, P.O. Box 965007,
 Orlando, FL 32896-5007
 14717407 E-mail/Text: ktramble@lendmarkfinancial.com Nov 14 2018 03:25:20 Lendmark Financial,
 2118 Usher St Nw, Covington, GA 30014
 14784267 E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:23:43
 LVNV Funding, LLC its successors and assigns as, assignee of Monogram Credit Card Bank,
 of Georgia, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14717410 +E-mail/Text: electronicbkydocs@nelnet.net Nov 14 2018 03:26:17 Nelnet,
 Nelnet Claims/Bankruptcy, Po Box 82505, Lincoln, NE 68501-2505
 14735047 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 14 2018 03:23:59
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14718286 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 14 2018 03:48:34
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14786438 +E-mail/Text: bncmail@w-legal.com Nov 14 2018 03:26:21 TD Bank USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14726268 +E-mail/Text: electronicbkydocs@nelnet.net Nov 14 2018 03:26:17
 US Department of Education c/o Nelnet, 121 South 13th Street, Suite 201,
 Lincoln NE 68508-1911
 14749349 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 14 2018 03:24:21 Verizon,
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 14717414 +E-mail/PDF: gecsed@recoverycorp.com Nov 14 2018 03:24:13 Walmart / Synchb,
 P.O. Box 530927, Atlanta, GA 30353-0927

TOTAL: 13

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 40

Date Rcvd: Nov 13, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr	Amerihome Mortgage Company, LLC	
cr	Cenlar FSB as servicer for AmeriHome Mortgage Comp	
cr	JPMORGAN CHASE BANK, N.A.	
cr	MidFirst Bank	
cr*	Educational Credit Management Corporation,	PO Box 16408, St. Paul, MN 55116-0408
cr*	+PRA Receivables Management, LLC,	PO Box 41021, Norfolk, VA 23541-1021
		TOTALS: 4, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 13, 2018 at the address(es) listed below:

David A. Rice	on behalf of Debtor Sheri Lou Cumberledge	ricelawl@verizon.net,
lowdenscott@gmail.com		
James Warmbrodt	on behalf of Creditor	Amerihome Mortgage Company, LLC bkgroup@kmlawgroup.com
James Warmbrodt	on behalf of Creditor	Cenlar FSB as servicer for AmeriHome Mortgage Company, LLC bkgroup@kmlawgroup.com
Jerome B. Blank	on behalf of Creditor	Amerihome Mortgage Company, LLC pawb@fedphe.com
Karina Velter	on behalf of Creditor	JPMORGAN CHASE BANK, N.A. amps@manleydeas.com
Office of the United States Trustee		ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour		cmecf@chapter13trusteedpa.com
Scott R. Lowden	on behalf of Debtor Sheri Lou Cumberledge	niclowlgl@comcast.net
Thomas Song	on behalf of Creditor	Amerihome Mortgage Company, LLC pawb@fedphe.com
		TOTAL: 9